

United States District Court

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

JEFFREY GROULX

CASE NUMBER: 03m 0463 RBC

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about October 17, 2003 in Suffolk and Middlesex County, in the

Massachusetts District of Massachusetts defendant(s) did, (Track Statutory Language of Offense)

Move and travel in interstate and foreign commerce with intent to avoid prosecution, custody and confinement under the laws of the Commonwealth of Massachusetts for the crimes of Parole Violation, in violation of Mass. Gen. L. c. 127, Section 149; Armed Robbery, in violation of Mass. Gen. L. c. 265, Section 17; Armed Assault in violation of Mass. Gen. L. c. 265, Section 18(a); Unarmed Burglary in violation of Mass. Gen. L. c. 266, Section 15, which crimes are felonies under the laws of the Commonwealth of Massachusetts, from which in violation of Title 18 United States Code, Section(s) 1073 JEFFREY GROULX has fled.

I further state that I am a(n) Special Deputy U.S. Marshal and that this complaint is based on the following

Official Title

facts:

See attached affidavit.

Continued on the attached sheet and made a part hereof:

☒ Yes ☐ No

Sworn to before me and subscribed in my presence,

November 17, 2003 at 5:10 pm
 Date
 Robert B. Collings
 United States Magistrate Judge

Name & Title of Judicial Officer

Michael H. Kozak
 Signature of Complainant

MICHAEL H. KOZAK
 Special Deputy U.S. Marshal
 Federal Bureau of Investigation

Boston, Massachusetts
 City and State

Signature of Judicial Officer

AFFIDAVIT

**Boston, Massachusetts
November 17, 2003**

I, MICHAEL H. KOZAK, Special Deputy United States Marshal (SDUSM), FEDERAL BUREAU OF INVESTIGATION (FBI), being duly sworn, upon my oath depose and state as follows:

1. The MASSACHUSETTS PAROLE BOARD has requested FBI assistance in location and apprehending JEFFREY GROULX.

2. I have conducted an investigation and determined the following:

a. On October 13, 1992, JEFFREY GROULX was convicted of the felony crimes of Armed Robbery; Armed Assault to Rob Person 65 or Older; and, Unarmed Burglary in Middlesex Superior Court, Cambridge, Massachusetts;

b. JEFFREY GROULX was sentenced on October 13, 1992 to serve three to seven years in state prison for each of the felony convictions noted in section 2(a) above;

c. The crime of Armed Robbery is a felony under Massachusetts General Law (MGL), Chapter 265, Section 17; the crime of Armed Assault to Rob Person 65 or Older is a felony under MGL, Chapter 265, Section 18(a); the crime of Unarmed Burglary is a felony under MGL, Chapter 266, Section 15;

d. JEFFREY GROULX was paroled by the MASSACHUSETTS PAROLE BOARD on the above sentences on June 3, 2003;

e. The expiration date on the sentences was April 30, 2004;

f. Parole Officer HARRY BARNES, MASSACHUSETTS PAROLE BOARD,

reported that JEFFREY GROULX had a condition on his parole which he agreed to abide by that he be supervised for drug use which required JEFFREY GROULX to provide urine samples, to abstain from the use of illegal substances and to be incarcerated at the first instance of substance abuse; JEFFREY GROULX also had a parole condition which he agreed to abide by that he provide the MASSACHUSETTS PAROLE BOARD with a change of address within twenty-four hours;

g. On October 15, 2003 Parole Officer BARNES reported that JEFFREY GROULX failed to provide a urine sample and admitted to smoking marijuana on October 6, 2003; Parole Officer BARNES also reported that JEFFREY GROULX failed to provide the PAROLE BOARD with a change of address after absconding from his last known address in Westford, Massachusetts on October 9, 2003;

i. Parole Officer BARNES believes JEFFREY GROULX absconded parole supervision because he anticipated that he would be incarcerated for his parole violations;

j. On October 17, 2003 the MASSACHUSETTS PAROLE BOARD issued an arrest warrant for JEFFREY GROULX under MGL Chapter 127, Section 149;

k. JEFFREY GROULX is wanted on arrest warrants from LOWELL DISTRICT COURT, Lowell, Massachusetts for Armed Robbery; and, WALTHAM DISTRICT COURT, Waltham, Massachusetts for Armed Robbery, and, Assault With Dangerous Weapon both issued on November 14, 2003;

l. On November 14, 2003 JEFFREY GROULX was named in an arrest warrant sought by the HUDSON POLICE DEPARTMENT, Hudson, New Hampshire charged with Armed Robbery (Gun);


m. JEFFREY GROULX appears to have crossed state lines to commit crimes; and,
n. Efforts by law enforcement to locate and arrest JEFFREY GROULX within the Commonwealth of Massachusetts have been fruitless.

3. Following a diligent investigation by local, state, and federal authorities, it has been determined that JEFFREY GROULX is no longer residing in the Commonwealth of Massachusetts.

4. The MASSACHUSETTS PAROLE BOARD has informed me that it will rendite JEFFREY GROULX if he is apprehended in the United States.

5. Attached hereto and made a part hereof is a certified copy of the arrest warrant issued by the MASSACHUSETTS PAROLE BOARD on October 17, 2003 for the arrest of JEFFREY GROULX; and, a letter from the MASSACHUSETTS PAROLE BOARD stating their intent to rendite JEFFREY GROULX.

6. Based upon the foregoing facts and upon my experience and training as a SDUSM within the FBI, I believe that there is probable cause to believe that JEFFREY GROULX has fled the Commonwealth of Massachusetts to avoid confinement for a crime which is a felony under the laws of the Commonwealth of Massachusetts, and that JEFFREY GROULX may presently be located in either Florida.


MICHAEL H. KOZAK
Special Deputy United States Marshal
Federal Bureau of Investigation
Boston, Massachusetts

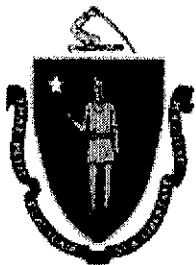
NOV 17 2003

Subscribed and sworn to before me this _____ day of _____,
2003.



United States Magistrate Judge
Boston, Massachusetts

HON. ROBERT B. COLLINGS
UNITED STATES MAGISTRATE JUDGE
United States District Court
John Joseph Moakley United States Courthouse
1 Courthouse Way, Suite 6420
Boston, Massachusetts 02210



*The Commonwealth of Massachusetts
Executive Office of Public Safety*

Parole Board

*45 Hospital Road, Building B3
Medfield, Massachusetts 02052
Telephone # (508) 242-8001*



Mitt Romney
Governor

Kerry Healey
Lieutenant Governor

Maureen E. Walsh
Chairman

Don Giancioppo
Chief of Staff

November 17, 2003

Mr. Michael Sullivan
U.S. Attorney
District of Massachusetts
One Courthouse Way
Boston, MA 02210

RE: Application for Unlawful Flight to Avoid Prosecution Warrant
Jeffrey Groulx, W/M DOB 04/17/74

Dear U.S. Attorney Sullivan;

The Massachusetts Parole Board would like to make application for a U.F.A.C. warrant for Jeffrey Groulx, charging him with parole violation under M.G.L. Chapter 127, Section 149. Please see attached a notarized copy of Jeffrey Groulx's arrest warrant issued on 10/17/03.

Jeffrey Groulx was sentenced on 10/13/92 to three to seven years in the Walpole State Prison for Armed Robbery. He was released on parole on 06/30/03. Jeffrey Groulx is believed to be residing in the state of Florida.

If apprehended the parole Board will rendite from anywhere in the United States and will seek a governors warrant if necessary.

Sincerely,

A handwritten signature in cursive script, appearing to read "Donald E. LaFratta".

Donald E. LaFratta
Chief of Special Operations



PLEASE TYPE
SIGN WITH BALL POINT PEN ONLY — BEAR DOWN

No 2513 03

COMMONWEALTH OF MASSACHUSETTS
Parole Board

Region 1 District 5

WARRANT FOR PERMANENT CUSTODY (STATE)		Name of Parolee GROULX, JEFFREY		Institution Number W-53340B			
				SID Number			
Date of Birth 04/17/74	Sex <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female	Race <input checked="" type="checkbox"/> White <input type="checkbox"/> Black <input type="checkbox"/> Hispanic <input type="checkbox"/> Other	This warrant for permanent custody is issued by the Parole Board in accordance with chapter 127 section 149 of the Massachusetts General Laws.				
<p>To any officer authorized to serve criminal process in the Commonwealth of Massachusetts or to any Peace Officer authorized to serve Criminal Process in the United States: you are required to arrest the parolee and convey him/her to <u>MCI-Cedar Junction</u>. To the superintendent of said institution: you are hereby required to receive the prisoner and safely keep him/her until the expiration of sentence or until otherwise discharged according to law.</p> <p>REASON FOR WARRANT FOR PERMANENT CUSTODY:</p> <p>Above named parolee has violated a condition(s) of his/her parole.</p>							
Chairman or Parole Board Member				Date Warrant Issued 10/17/03			
RETURN OF SERVICE Mail to: Warrant Unit Massachusetts Parole Board 27-43 Wormwood Street Boston, MA 02210-1606				Signature of Arresting Officer		Date Arrested	
				By virtue of this warrant I certify that the above named person has been arrested and placed in custody at:			
				Institution		Effective Date of Return	
				Signature of Officer Making Return		Title	Date Returned

PB-WPCS. 5/1/87

Ronald Jay Rapaport
A True Copy Attest
RONALD JAY RAPAPORT
NOTARY PUBLIC
My commission expires July 23, 2010

white copy — Warrant Unit

yellow copy — institution

pink copy — parole officer